



Order Filed on August 7, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

McCABE, WEISBERG & CONWAY, LLC
By: Alexandra T. Garcia, Esq. (Atty.
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856-858-7080
Attorneys for Movant: Bayview Loan Servicing,
LLC

IN re:

Horace W. Smith
Debtor/Respondent

Ionie M. Carnegie Smith
Co-Debtor/Respondent

Case No.: 17-34495-ABA
Chapter: 13
Judge: Andrew B. Altenburg Jr.

ORDER VACATING STAY

The relief set forth on the following pages, number two (2) through two (2) is hereby
ORDERED

DATED: August 7, 2018



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

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Debtor: Horace W. Smith

Co-Debtor: Ionie M. Carnegie Smith

Case No: 17-34495-ABA

Caption of Order: ORDER VACATING STAY

Upon the motion of **Bayview Loan Servicing, LLC**, or its successors or assignees, under Bankruptcy Code section 362(a) and 1301 for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) or appropriate jurisdiction to pursue the movant's rights in the following:

☒ Real property more fully described as:

2465 Coronado Drive, Vineland, New Jersey 08360

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its states court remedies including, but not limited to, taking the property to sheriff's sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale, or deed-in-lieu foreclosure. Additionally, any purchaser of the property at sheriff's sale (or purchaser's assignee) may take any legal action for enforcement of its rights to possession of the property

☐ Personal property more fully described as:

ORDERED that Movant may pursue any and all loss mitigation options with respect to the Debtor(s) or the real property described above, including but not limited to repayment agreement, loan modification, short sale or deed-in-lieu of foreclosure.

It is further ORDERED that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The movant shall serve this Order on the Debtor, any Trustee and any other party who entered an appearance on the motion.